

4. Defendant is a foreign corporation engaged in the business of collecting debts in this state. The principal purpose of the Defendant is the collection of debts using the mails and telephone, and the Defendant regularly attempts to collect debts alleged to be due another.

5. Defendant is a “debt collector” as that term is defined by the FDCPA.

IV. FACTUAL ALLEGATIONS

6. Plaintiff incurred a debt which was primarily for personal, family, or household purposes and is therefore a “debt” as that term is defined by the FDCPA.

7. Sometime after Plaintiff incurred the debt, the debt was consigned, placed, transferred or otherwise obtained by Defendant for collection from Plaintiff.

8. Sometime prior to August 2008, Defendant contacted Plaintiff in an effort to collect on the debt.

9. In August 2008, Plaintiff, through counsel (not undersigned counsel), contacted Defendant in writing regarding the debt. Plaintiff’s counsel faxed a letter to Defendant indicating that Plaintiff was represented by counsel regarding the debt.

10. Although Defendant knew Plaintiff was represented by counsel, on or about January 15, 2009, Defendant sent Plaintiff a letter to her home address in an effort to collect the debt.

11. At no time after sending the letter to Defendant in August 2008 did Plaintiff’s counsel give Defendant permission to contact Plaintiff directly.

12. As a result of the acts and omissions of Defendant, Plaintiff has suffered actual damages and injury, including but not limited to, stress, mental anguish, emotional distress, and humiliation.

V. CLAIMS FOR RELIEF

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

13. Plaintiff repeats and re-alleges and incorporates by reference the foregoing paragraphs.

14. The foregoing acts and omissions of Defendant constitute violations the FDCPA, including, but not limited to, 15 U.S.C. § 1692c.

15. As a result of Defendant's violations of the FDCPA, Plaintiff has suffered actual damages and is therefore entitled to actual damages pursuant to 15 U.S.C. § 1692k, statutory damages in the amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k, and reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k from Defendant.

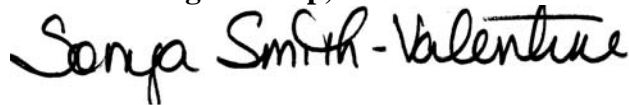
DEMAND FOR JURY TRIAL

Please take notice that Plaintiff demands trial by jury in this action.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Actual Damages;
- B. Statutory damages;
- C. Costs and reasonable attorney's fees; and
- D. For such other and further relief as may be just and proper.

Respectfully submitted,
Valentine Legal Group, LLC



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